

Order, p. 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

SHAHRAM (STEVE) KETABCHI,

Defendant.

Case No. 22 Civ 2323 (SHS)
(Crim No. 1:17-cr-00243-SHS-3)

Hon. Sidney H. Stein
United States District Judge

MOTION FOR COURT TO SET REPLY DEADLINE

I, Shahram (Steve) Katabchi, petitioner herein and defendant in the underlying criminal case, proceeding *pro se*, herewith move to this Court to afford me the opportunity to reply to the *Memorandum of Law of the United States in Opposition to Motion to Vacate*, Dkt.7, filed May 17, 2022.

1. Pursuant to Rule 5(d) of the *Rules Governing Section 2255 Proceedings*, a movant "may submit a reply to the respondent's answer or other pleading within a time fixed by the judge." Petitioner herewith moves this Court to permit him to reply to the Government's *Response* by the close of business on Wednesday, June 22, 2022.

2. I ask that I be afforded this time to respond. I only received a copy of the *Memorandum in Opposition* on May 25, 2022. I require time to review, research and respond to the Government's position.

3. The length of time I seek will provide me with a reasonable and adequate time to research and prepare a reply. Such a reply will help ensure a complete record and assist the Court in resolving my § 2255 motion on the merits, as well as permit me time to work with witnesses who can provide declarations rebutting the Government position.

5. The period sought for a reply will not unduly delay the resolution of the proceeding, nor will it prejudice the Government or tax the resources of the Court. I have already served my sentence. As a *pro se* litigant, I require the requested time to collect the information I need and to draft a reply. The limitations facing *pro se* litigants are well known and provide good cause for the grant of this request.

WHEREFORE, good cause having been shown, the Court should permit me to reply to the Government's *Memorandum in Opposition* by the close of business on Wednesday, June 22, 2022. The statements of fact made herein are true, under penalty of perjury.

Executed May 26, 2022

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Shahram Katabchi
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*The Clerk's Office
shall send a copy of
the Order to Mr. Katabchi*

*June 2, 2022
Application granted.
So ordered.
S. J. U.S. Dist.
U.S. A.S.*